

1 **JOEL F. HANSEN, ESQ.**
Nevada Bar No. 1876
2 **HANSEN RASMUSSEN, LLC**
1835 Village Center Circle
3 Las Vegas, Nevada 89134
(702) 385-5533
4 Attorney for Defendant

5 **UNITED STATES DISTRICT COURT**

6 **DISTRICT OF NEVADA**

7
8 UNITED STATES OF AMERICA,

CASE NO. 2:16-cr-00046-GMN-PAL

9 Plaintiff,

10 vs.

11 CLIVEN D. BUNDY, et al,

12 Defendants

13
14 **DEFENDANT CLIVEN BUNDY'S OBJECTIONS TO THE MAGISTRATE'S ORDER OF**
DETENTION AND BUNDY'S MOTION FOR REVOCATION OF THE MAGISTRATE'S
ORDER OF DETENTION

15 Comes now, the Defendant, Cliven Bundy, by and through his attorney, Joel F. Hansen, Esq.,
16 and files with the District Court his objections to the Magistrate Judge's Detention Order of March 18,
17 2016 and moves that the Detention Order be revoked and vacated.

18 I. **THE MAGISTRATE'S ORDER IS IN ERROR BECAUSE IT IS BASED UPON AN**
19 **ERRONEOUS INTERPRETATION OF THE DEFENDANT'S HISTORY AND**
20 **CHARACTER, AND FAILS TO RECOGNIZE THE FACT THAT CLIVEN BUNDY**
21 **POSES NO RISK OF HARM TO THE COMMUNITY BECAUSE HE HAS NO**
22 **CRIMINAL HISTORY, HE HAS NEVER COMMITTED A VIOLENT ACT, HE HAS**
23 **NEVER HARMED ANYONE, AND HE HAS SUCH SIGNIFICANT TIES TO HIS**
24 **FAMILY, HIS RANCH, HIS CHURCH, AND HIS COMMUNITY THAT HE POSES**
25 **ABSOLUTELY NO FLIGHT RISK**

26 A. **The Facts Presented to the Magistrate Show That the Requirements to Detain a**
27 **Defendant Pending Trial Have Not Been Met by the Government**

28 Attached hereto and incorporated herein by reference are the Defendant's "MEMORANDUM
IN SUPPORT OF PRETRIAL RELEASE OF CLIVEN BUNDY (see **Exh. A**) and the SUPPLEMENT
TO DEFENDANT'S MEMORANDUM IN SUPPORT OF PRETRIAL RELEASE OF CLIVEN
BUNDY (see **Exh. B**). These two Memoranda show, beyond any doubt, that:

///

HANSEN RASMUSSEN, LLC
1835 Village Center Circle
Las Vegas, NV 89134
(702) 385-5533

1 1. A defendant should only be denied bail in rare circumstances, and that doubts should be
2 resolved in favor of the accused. Pretrial release should be denied only for the strongest reasons.

3 2. The government has failed to show that Cliven Bundy has ever committed any violent
4 act. The only violent acts committed during the “standoff” were committed by the government agents.
5 Mr. Bundy was never present on the scene of any confrontation, never brandished a weapon, was never
6 armed with any firearm, never directed anyone to assault a federal officer, and never assaulted anyone
7 or committed any battery in his life .

8 3. Mr. Bundy has never been accused of or committed any crime of violence in his life.

9 4. The government’s burden of proof in establishing a risk of flight is by a preponderance
10 of the evidence. Only in rare cases should release be denied, and doubts regarding the propriety of
11 release are to be resolved in favor of the defendant.

12 5. The many letters from his friends, acquaintances, and family show that Mr. Bundy:

13 a. Is a caring and compassionate family man who loves God, his family, his
14 country and his state. He is a hard worker and an honest man. He has always
15 tried to settle things peacefully.

16 b. He is an active and faithful member of his church.

17 c. He is a beloved man and a large part of our community in Bunkerville, Nevada.

18 d. He is an amazing Father, Husband, Grandfather, Friend, Cousin, and Neighbor.

19 e. He is a good honest man. He should be allowed to be home with his family,
20 because he serves people in his community on a daily basis and contributes a
21 great deal of kindness and love for his community.

22 f. Cliven is a man of integrity, honesty, and love.

23 g. “He is one of the most honest, upright, decent man we have ever known. He is
24 no threat for anyone.” Statement by Rulon H. Spencer and Wendy S. Spencer.

25 B. The Magistrate’s Order Is Erroneous

26 ///

27 ///

28 ///

1 **B. The government has presented no evidence to support Probable cause**

2 **1. No probable cause that Bundy will commit crimes of violence has been
3 presented.**

4 All that the government has presented to this Court are allegations and innuendos. There is no
5 probable cause to believe the Cliven Bundy has committed offenses that are crimes of violence. There
6 is, in fact, no evidence whatsoever that Cliven Bundy has ever committed any act of violence at all.
7 There is no evidence that Cliven even carried a firearm during the “standoff.” No one who was
8 opposing the efforts of the BLM did anything violent. No shots were fired. No agent of the government
9 was even touched. Had there been a “conspiracy” to do violence against the government, this
10 conspiracy to commit violence would undoubtedly have led someone to pull a trigger or to attack
11 someone. No such thing happened.

12 **2. The BLM committed the only violence.**

13 The BLM shot Cliven Bundy’s bulls and buried them in a secret grave, trying to hide their acts.
14 The BLM violently threw Margaret, Cliven’s sister, to the ground. The BLM tazed Ammon twice—and
15 the Court is well aware that being tased is a horrible, painful experience in which one’s entire body is
16 paralyzed by a powerful and painful electric shock. And when Davey Bundy was on a County road,
17 with an iPod, taking a video of what the BLM was doing in preparation to take Bundy’s cattle, they told
18 Davey to stop taking that video. When Davey said he was on a county road, and that the BLM had no
19 jurisdiction over a county road, and no authority to tell him to stop taking a video of their actions, and
20 that he had a first amendment right to be taking that video—the BLM approached him, violently took his
21 iPod and destroyed it, and then handcuffed Davey behind his back, threw him to the ground, stomped
22 on the back of his head, and left him very uncomfortably handcuffed behind his back for hours. They
23 took him to jail, left him there overnight, and then released him, without ever charging him with any
24 crime, and then destroying or hiding any documents showing that he had been incarcerated there.

25 **3. Cliven Bundy committed no act of violence**

26 No act of violence occurred on account of Cliven Bundy, even as an alleged “conspirator.” The
27 government contends that Cliven is guilty of a crime of violence, but it has not presented a shred of
28 evidence to support that position. And it is ludicrous to suppose that Mr. Bundy is going to harm

1 anyone if he is released from detention. There is no evidence that he has ever done such a thing, and
2 there is no evidence that he is going to enter into a conspiracy to go out and hurt someone in his
3 community. Of course he is not going to do that. He's never done it. He knows the people in
4 Bunkerville. It is a small town, and they are his friends.

5 **4. The present case is criminal; any order for release will carry with it
6 penalties which may include the imposition of incarceration; this is vastly
different from a civil order**

7 The Magistrate and the government make much of the fact that Mr. Bundy has violated past
8 Court orders by refusing to remove his cattle from the ranch. Therefore, it is reasoned, why would he
9 obey the orders of this Court to appear for hearings and trial? But the Magistrate and the government
10 have *conflated* two separate issues. The prior orders to stop grazing his cattle were issued in a civil
11 case. The orders were not orders that if he didn't stop, he would be imprisoned. Judge George never
12 ordered any such thing. Those orders were about removing cattle from the land, and actually no money
13 judgment has ever been entered against Mr. Bundy. No finding of contempt of court has ever been
14 entered. The government obtained injunctions only, and failed to enforce those injunctions until the
15 standoff in question of April 2014. *United States v. Bundy*, No. 2:12 CV 0804©LDG©GWF, 2013 WL
16 3463610, at *1 (D. Nev. July 9, 2013). The trouble is, the United States a/k/a the BLM never attempted
17 to enforce these injunctions. And so Mr. Bundy stayed on the land. There was nothing in the injunction
18 that said that if he didn't obey them that he would be imprisoned. That is entirely different from the
19 present situation.

20 In the present situation, any order for release which would be issued would impose travel and
21 other restrictions on Mr. Bundy, and require him to appear for all Court hearings and trial, and would
22 result in him being sent back to detention and imprisoned if he were to violate the order—that is very
23 different from an injunction that was never enforced. He knows this will be enforced, because it will
24 say right in the order that if he violates it, he may be incarcerated. The Court can obviously see how
25 different injunctions are from an order imposing restrictions on Mr. Bundy's freedom of movement and

26 ///

27 ///

28 ///

1 other actions, the violation of which will bring upon him the severe judgment of this Court—probable
2 incarceration in solitary confinement. He is familiar with solitary confinement, because he has been in
3 solitary confinement ever since he was sent to Nevada after being arrested in Oregon. So obviously he
4 knows he certainly doesn't want to go back there.

5 This all means that there is nothing in Mr. Bundy's history which would show that he will not
6 appear before this Court when told to do so. Nothing. He has always been an honest, law abiding, hard
7 working citizen, father, husband, and grandfather, who has been a pillar of goodness and respect in his
8 community. Why a man like this needs to be imprisoned is beyond comprehension. Cliven Bundy is
9 about as likely to hurt someone or to flee Nevada as a desert tortoise. It just isn't going to happen.

10 **5. The government has presented a paucity of evidence that Cliven Bundy “is
11 the leader, organizer, and primary beneficiary of the conspiracy charged
in the . . . indictment.” See Magistrate’s Order, Pg. 3:25-27**

12 In its rambling “MEMORANDUM IN SUPPORT OF ITS MOTION FOR PRETRIAL
13 DETENTION”, filed with the Court in Oregon, the government baldly asserts that “Based on the
14 evidence adduced from its investigation to date, the government proffers the following in support of its
15 motion for pretrial detention.” The government then fills up 34 pages with accusations, innuendoes,
16 and unsupported allegations, but seldom presents any actual evidence of what it asserts. The
17 government must know that the standards of the Bail Reform Act require it to prove by “clear and
18 convincing” evidence that the Defendant poses a dangerous threat to the community, and that it must
19 prove by a preponderance of the evidence that the Defendant is a flight risk. If one accepts at face value
20 everything the government claims in these 32 pages of empty, vacuous arguments, almost entirely
21 devoid of anything besides bald assertions by the DOJ, then Cliven Bundy could be characterized as the
22 Bad Bart of Bunkerville. The trouble is, although the government asserts that its investigation has
23 proven all of these accusations, in fact the DOJ hasn't presented this mystery evidence to this Court.
24 The government can't just make assertions. It must present actual evidence to back up its assertions.
25 This the government has failed to do.

26 ///

27 ///

28 ///

1 **6. How Bundy ranches is irrelevant**

2 On the fourth page of its diatribe, the government describes in detail its opinion of Rancher
 3 Bundy's cattle operation—without any affidavits or pictures or anything else to prove what it is saying.
 4 Is the prosecutor a rancher? Does he know whether Mr. Bundy's operation is unorthodox? Has he ever
 5 ridden a horse or roped a calf? Has he ever conducted a round-up? Bald assertions about immaterial
 6 facts by someone without knowledge are worthless.

7 Besides, this whole scenario is irrelevant. Whether or not Mr. Bundy vaccinates his cattle has
 8 absolutely nothing to do with the indictment. It doesn't prove anything. It is just the government's way
 9 of making Mr. Bundy look like a bad guy. Maybe the way he ranches is unorthodox, but so far no one
 10 has shown that his cattle are inferior to anyone else's cattle. It is all a tempest in a teapot, designed to
 11 throw immaterial dirt on Cliven. The government should be ashamed of its shabby tactics.

12 **7. Cliven Bundy has a First Amendment right to his views about the
 government and its alleged ownership of 90% of Nevada's land. He cannot
 be prosecuted for his views. This appears to be nothing but a political
 prosecution.**

13 The government accuses Mr. Bundy on pg. 5 of having "strong anti-federal government views"
 14 and that his views are not "principled." Mr. Bundy, in studying the US Constitution, found in the First
 15 Amend- ment that he had freedom of speech and that the government can't take that away. And where
 16 in all of Anglo-American or Constitutional law is it held that someone's views must, in the
 17 government's opinion, be "principled?" Are we now in a fascist state where one's opinions must be,
 18 in the opinion of the government, "principled?" This is dangerous talk, to say the least.

19 The government is trying Cliven Bundy in these motions, rather than before a jury of his peers.
 20 The government is holding Mr. Bundy in solitary confinement, a man who has never hurt a fly. The
 21 government seems to be afraid that it might lose in a jury trial, so it wants to keep him in prison, in
 22 solitary confinement, as long as it can, because he, like Nelson Mandela, is a political prisoner. And
 23 the government is seeking to have this case declared complex, so that it may lengthen out the time it
 24 holds Mr. Bundy in solitary confinement. That Mr. Bundy is certainly out of favor with the current
 25 administration is clearly shown in a VIDEO entitled: Obama Disses Rand Paul, Cliven Bundy at WHCA
 26 Dinner found at <https://www.youtube.com/watch?v=rveNp7f57H>. The President threatens Cliven
 27
 28

1 Bundy by stating that if he makes similar statements again like he did at Bunkerville, “things won’t end
 2 well.” Is that why Mr. Bundy, a man who has never hurt a fly, is being held in solitary confinement?
 3 There is nothing in the U.S. Constitution allowing the federal government to hold political prisoners
 4 without a trial. Nothing.

5 **8. Unreasonable restrictions on grazing have destroyed ranching in Clark
 County**

6 When the BLM “restricted both the number of head he could graze and the seasons during which
 7 he could graze them” (see pg. 5), Cliven fired the BLM, because the BLM is supposed to encourage
 8 ranching in order to produce food for the American people. Its job is not to destroy ranching. The
 9 original purpose of the BLM and the Taylor Grazing Act was to encourage grazing on “federal”
 10 lands—not to destroy it. See 43 U.S.C.A. § 1751, which provides for the “betterment” of the grazing
 11 lands in the 16 Western States. There is nothing in the act which authorizes the BLM to engage in a
 12 calculated program to drive ranchers off the land by raising grazing fees and restricting the number of
 13 cattle and the grazing seasons to the point that the ranchers are driven off the land. Yet the BLM has
 14 shut down every ranching operation in Clark County—except Cliven Bundy’s. So who is violating the
 15 law here? Doesn’t Mr. Bundy have the right to raise a Constitutional question about the legality of the
 16 high handed tactics of the BLM? Of course he does—and particularly by making statements about the
 17 actions of the BLM and by the exercise of people’s First Amendment right to peaceably assemble, and
 18 the people’s Second Amendment right to keep and bear arms. No person demonstrating in favor of
 19 Cliven Bundy ever fired a weapon. No person supporting Cliven Bundy ever hurt any BLM agent. No
 20 person raising a Constitutional and legal question about who owns the land in Nevada ever physically
 21 assaulted anyone in the employ of the Federal government. Only the BLM agents assaulted and battered
 22 people—Ammon, Margaret, and Davey.

23 **9. The government has presented no evidence that Cliven Bundy organized
 anything**

25 The DOJ claims that Cliven Bundy “organized and led over 400 Followers to assault the BLM
 26 officers as they guarded the Impoundment site.” See pg. 7. But where is the proof that he did this? The
 27 government presents no proof that Cliven was even at or near the impoundment site. The government
 28 has presented no affidavit, picture, or anything else to show that Cliven Bundy “led” anyone to the

1 impoundment site. He simply wasn't there. And where is the proof that they were "over 400 Followers."
2 Who counted them? Where is his/her affidavit or declaration? Incredibly and amazingly, the
3 government cites to its own Complaint for proof of all of this. But as the Court well knows, the
4 Complaint is just allegations. It proves absolutely nothing.

5 The government say Bundy "mustered more than 60 firearms. . ." See pg. 8. Again, where
6 is the proof of this? The government presents none. Who counted the firearms? What did Cliven do
7 to "muster" them. And suddenly the number of people present is reduced to 270. Who is doing this
8 counting? Where is his/her declaration?

9 The government further baldly asserts: "Many of these officers . . . remain profoundly affected
10 emotionally by this event to this day." What are the names of these officers? Where are their
11 statements that they are profoundly affected? Where are their psychologists' statements that they are
12 profoundly affected? If they are profoundly affected, is it because they concluded that they were like
13 Redcoats attacking patriots? Do they believe that they were in the wrong because of what they did?
14 Why does the government continue endlessly to make these broad and bald statements without anything
15 but the word of a government ghost writer that they are true?

16 At pg. 9, the government asserts that "[T]he complaint alleges and the investigation shows that
17 Bundy was responsible for recruiting the gunmen to come to Nevada to confront the BLM." It doesn't
18 amount to a hill of beans what the Complaint alleges. The Complaint can allege anything that someone
19 in the DOJ with a fertile imagination can think up. What matters in this proceeding is clear and
20 convincing proof—not bald statements and gaseous allegations. Where is there any proof and where is
21 the credible evidence that Cliven Bundy recruited anyone? In clear violation of law, the government
22 presents none.

23 **10. The evidence does not show that this was an unprecedented act**

24 At page 9 the unsupported assertions continue. "The evidence shows that this was an
25 unprecedented act." But the government does not show that this was an unprecedented act. What does
26 it mean by an "unprecedented act." Is the government unaware of the Whiskey Rebellion? How about
27 the Everett Massacre? How about the Haymarket Riot or the Ludlow massacre? What comes to mind
28

1 is the stand that the minute men made against the British at Bunker Hill. Or at Concord Bridge. Or at
2 Lexington green.

3 But the difference between all of these “standoffs” and the Bunkerville standoff is this—no one
4 who was there on Cliven Bundy’s side committed any act of violence. It was all done by the
5 government. So yes, in this, it was unprecedented. The Bundy supporters exercised incredible restraint
6 in face of violent acts by the BLM.

7 **11. Hearsay quotations from unidentified persons are not “clear and
8 convincing evidence.”**

9 The government allegedly quotes Mr. Bundy at the foot of pg 9 that he made a statement “to
10 another person.” Who is this person? Where is his declaration or affidavit? How does the government
11 know this? Are we and the Court supposed to just believe whatever the government says? No, we’re
12 not. The government must prove that Cliven Bundy is dangerous by “clear and convincing evidence.”
13 A hearsay statement by an unidentified person which is supported by nothing but words some
14 unidentified law clerk wrote on a computer screen is not “clear and convincing evidence.” The
15 government fails again. See *United States v. Scales*, 344 F.Supp. 213 (D. Me. 2004).

16 At pg. 10 the DOJ quotes what Ammon Bundy said, which the DOJ doesn’t like. Well, the
17 question which comes immediately to mind is whether Cliven Bundy is guilty by association here. The
18 government presents no evidence that Cliven Bundy told Ammon to say this. Guilt by association is
19 not clear and convincing.

20 **12. These unsupported hearsay allegations and innuendoes go on for another
21 24 pages and mostly present completely immaterial accusations**

22 The government alleges, without presenting any actual evidence, that Cliven Bundy established
23 a firing range, stated that he obeys the laws of the State of Nevada, quotes an unidentified television
24 news report, alleges that two of Cliven’s sons stopped a truck (so what?), that Ammon followed a fire
25 truck too closely (so what?), that Ryan asked what plants the BLM was counting (so what?), that an
26 unidentified BLM agent heard Cliven say that he was there to fix a leaky pipe, that the same
27 unidentified BLM agents heard “gunshots” or “a popping sound” in the night and heard several
28 unidentified male voices, that Ryan and Dave said the BLM should stay away from Bunkerville, that
Cliven Bundy asked the sheriff of Harney County in Oregon to take the Hammonds into custody, that

1 Cliven said he was enjoying his freedom now that the BLM had departed, that Cliven called the wanton
 2 killing of LaVoy Finnicum “murder,” that Cliven wouldn’t sign contracts with the BLM, that another
 3 unidentified “subject” posted something on Facebook (as if Cliven were responsible for someone else
 4 exercising his freedom of speech), and that an another unidentified subject said that some of the MNWR
 5 “occupiers” had made their way to the Bundy ranch. None of these allegations are backed up or proven
 6 by anything.

7 The government presents no evidence to the Court or to the Defendant. It is impossible to refute
 8 a quote from someone who is “unidentified.” This is the rankest sort of hearsay. It smacks of Star
 9 Chamber. The accused doesn’t get to know who is saying what about him. He has no opportunity to
 10 confront the witnesses against him, or even find out who they are, or even see their statements. This
 11 is not due process of law. It is guilt by accusation. The government has presented no clear and
 12 convincing evidence that Mr. Bundy is a danger to the community, nor has it presented a preponderance
 13 of evidence that he is a flight risk. The government has presented nothing but hearsay and unidentified
 14 newspaper articles, Utube quotes that could have been posted by anyone, including the DOJ, and
 15 assertions that the government’s investigation revealed this evidence--but the government hasn’t
 16 bothered to present any evidence to the Court or to the Defendant that any of this is anything but the
 17 flights of fancy of an over zealous prosecutor.

18 The Court will remember the old TV ad, (which is particularly appropriate here), “Where’s the
 19 beef?” The government has presented no beef–no meat–no evidence. It has presented objects which
 20 look like hamburgers, but the hamburger patty is missing. The government says that “by some
 21 accounts” there was a “50 caliber machine gun” in the militia camps. Who gave these accounts? Were
 22 they eyewitnesses? Did they hear it third or fourth hand? Do they know what a 50 caliber machine gun
 23 looks like? Does the prosecutor know that the proper designation of such a gun is .50 caliber, meaning
 24 50 millimeters of barrel diameter? The government claims that it has conducted hundreds of witness
 25 interviews–yet not one quotation from these alleged interviews is presented to this Court. As one
 26 doubting Thomas said, “If you believe what the U.S. government says, just ask the American Indians.”
 27 We don’t have to believe what the government says unless the government proves it, and the Bail
 28

1 Reform Act of 1984 requires PROOF. Clear and convincing doesn't include bald assertions and
2 unsupported innuendos.

3 **II. THIS COURT REVIEWS THE MAGISTRATE'S ORDER DE NOVO**

4 When a defendant seeks review of a magistrate judge's order of detention, the district court is
5 bound to review the matter de novo, and undertake a complete review of the matter for the purpose of
6 arriving at its own independent conclusion. See United States v Duncan, 897 F. Supp. 688, 689-690
7 (N.D.N.Y. 1995) (citing United States v Leon, 766 F.2d 77, 80 (2d Cir 1985)); see also United States
8 v King, 859 F.2d 485, 489-491 (11th Cir. 1988); United States v. Williams, 753 F.2d 329, 331 (4th Cir.
9 1985. 18 U.S.C. Sec. 3145 (a)-(c). The above points and authorities clearly show that the decision of
10 the Magistrate Judge was erroneous and should be reversed.

11 **CONCLUSION**

12 The government has failed to comply with the requirements of the Bail Reform Act of 1984.
13 It has clearly violated the law, which holds them to a "clear and convincing" standard of evidence to
14 show danger to the community and a "preponderance of evidence" to show the Mr. Bundy is a flight
15 risk. The Defendant has presented 34 statements signed by people who are personally acquainted with
16 Cliven. The government claims to have hundreds of interviews, but hasn't quoted a single one. All of
17 its references are vague or unidentified, or are from hearsay sources such as newspapers or Utube. And
18 evidence presented "by some accounts" is completely worthless. Anybody can say anything if it's "by
19 some accounts." The government has seemingly put together a strong case against Mr. Bundy—but
20 when it is seen for what it really is, it is a collection of unsupported allegations, inconceivable
21 innuendoes, bald assertions, and unproven allegations. The government has failed in its burden of
22 proof. Thus, Mr. Bundy
23 must go free.

24 It is respectfully moved that this Court vacate the Magistrate's Order of Retention and instead
25 direct the Marshals to set Mr. Bundy free. He has stated in his original points and authorities that he
26 is willing to obey this Court's travel restrictions, firearms restrictions, requirements for appearance, the
27 wearing of a GPS tracking device, and any other reasonable restriction the Court wishes to impose.

28 ///

1 ||Thus, there is absolutely no legal reason why Mr. Bundy should remain in solitary confinement until
2 the time of trial.

3 DATED this 4th day of April, 2016.

Respectfully submitted,

BY: /s/ Joel F. Hansen
JOEL F. HANSEN, ESQ.
Nevada Bar # 1876
1835 Village Center Circle
Las Vegas, NV 89134
Attorney for Defendant

CERTIFICATE OF SERVICE

Pursuant to NRCP 5 (b), I hereby certify that on this 4th day of April, 2016, I served a copy of the foregoing **DEFENDANT CLIVEN BUNDY'S OBJECTIONS TO THE MAGISTRATE'S ORDER OF DETENTION AND BUNDY'S MOTION FOR REVOCATION OF THE MAGISTRATE'S ORDER OF DETENTION** as follows:

13 Electronic Service - via the Court's electronic service system; and/or

14 U.S. Mail – By depositing a true copy thereof in the U.S. mail, first class postage
15 prepaid and addressed as listed below; and/or

16 Facsimile – By facsimile transmission pursuant to EDCR 7.26 to the facsimile
17 number(s) shown below and in the confirmation sheet filed herewith. Consent to
18 service under NRCP 5(b)(2)(D) shall be assumed unless an objection to service by
 facsimile transmission is made in writing and sent to the sender via facsimile within
 24 hours of receipt of this Certificate of Service; and/or

19 Hand Delivery – By hand - delivery to the address listed below.

20 DANIEL G. BOGDEN
United States Attorney
21 STEVEN W. MYHRE
NICHOLAS D. DICKINSON
22 Assistant United States Attorneys
NADIA J. AHMED
ERIN M. CREEGAH
23 Special Assistant United States Attorneys
333 Las Vegas Blvd. South, Suite 5000
24 Las Vegas, NV 89101

/s/ Lisa McMillan
An Employee of HANSEN ◊ RASMUSSEN